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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,190	04/11/2001	Toshihumi Takada	04208.0101	1562

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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EXAMINER

LEON, EDWIN A

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 10/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,190

Applicant(s)

TAKADA ET AL.

Examiner

Edwin A. León

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1, 5, and 7 is/are rejected.
- 7) ☒ Claim(s) 2-4, 6 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed July 23, 2003 in which Claim 9 has been added, have been place of record in the file as Paper No. 19.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Komatsu (U.S. Patent No. 5,051,101). With regard to Claim 1, Komatsu discloses a card connector for accepting a card (C), which has a recess (81) in its side surface, the card connector comprising: an eject mechanism (8,9) having an eject member (8,9), the eject member (8,9) being adapted to move in a card insertion direction as the card (C) is inserted into the connector during a card insertion operation and to move in a card eject direction in response to a card eject operation to eject the card (C); an elastic locking piece (11) having a locking portion (13) to engage a single side of the card (C) in the recess (81) of the card (C) and a stationary portion (9a) fixed to the eject member (8,9);

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and a locking piece guide means (12) for guiding the elastic locking piece (11) during the card eject operation and the card insertion operation wherein the locking piece guide means (12) causes the elastic locking piece (11) to become elastically deformed during the card eject operation to move the locking portion (13) away from the recess (81) of the card (C) and wherein the locking piece guide means (12) causes the elastic locking piece (11) to become released from the elastic deformation during the card insertion operation thereby causing the elastic locking piece (11) to move toward the card (C) by an elastic recovery force to engage the locking portion (13) in the recess (81) of the card (C). See Figs. 1-5 and 10.

With regard to Claim 5, Komatsu discloses the locking piece guide means (12) being a member projecting from the connector housing (2) to engage a part, of the elastic locking piece (11) thereby causing the locking portion (13) to move away from the side surface of the card (C) and towards a side wall portion of the connector housing (2) during the card eject operation and to move toward the side surface of the card (C) during the card insertion operation. See Figs. 1-5 and 10.

With regard to Claim 7, Komatsu discloses that when a second card (C) without the recess (81) is inserted, the locking portion (13) of the elastic locking piece (11) works as a braking piece that presses against a wall surface of the second card (C) to apply to the card (C) a braking force acting in a direction opposing card retraction. See Figs. 1-5 and 10.

Allowable Subject Matter

4. Claim 9 is allowed.
5. Claims 2-4, 6 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination, the locking piece guide means having a protruding portion projecting from the elastic locking piece; and a guide wall formed in the connector housing and having a tapered surface to guide the protruding portion as the eject member moves in the card insertion or eject direction, a spring member disposed between the eject member and the connector housing and a locking mechanism for locking the eject member and in combination with the rest of the limitations of the base and intermediate claims.

Response to Arguments

4. Applicant's arguments filed July 23, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claim 1 that the Komatsu reference doesn't show the elastic locking piece being elastically deformed in the card eject operation and an elastic recovery force engaging the locking portion in the recess of the card, Applicant's attention is directed to Figs. 3-5 in which Komatsu clearly discloses the locking piece guide means (12) causes the elastic locking piece

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(11) to become elastically deformed during the card eject operation to move the locking portion (13) away from the recess (81) of the card (C) and wherein the locking piece guide means (12) causes the elastic locking piece (11) to become released from the elastic deformation during the card insertion operation thereby causing the elastic locking piece (11) to move toward the card (C) by an elastic recovery force to engage the locking portion (13) in the recess (81) of the card (C). Applicant is reminded that the term "elastic" is defined as being flexible or resilient and therefore it is considered that the locking piece (11) is elastic. Furthermore, Applicant only claims an elastic recovery force engaging the locking portion in the recess of the card and not a self-elastic recovery force. It is the Examiner's opinion that the Komatsu reference read on Applicant's claims in their broadest interpretation.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

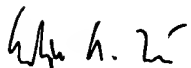
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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Edwin A. Leon
AU 2833

EAL
October 8, 2003



P. AUSTIN BRADLEY
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